

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TE H. WU,

Plaintiff,

Case No. 15-cv-11132
Hon. Matthew F. Leitman

v.

FCA US LLC,

Defendant.

/

**ORDER VACATING ORDER TO SHOW CAUSE (ECF #2) AND
DISMISSING COMPLAINT (ECF #1) WITHOUT PREJUDICE**

On March 26, 2015, Plaintiff Te H. Wu (“Wu”) filed a Complaint against Defendant FCA US LLC (“FCA”). (*See* the “Complaint,” ECF #1.) Wu asserts that this Court has jurisdiction pursuant to 28 U.S.C. § 1332(a)(1) based on the diversity of the parties and the amount in controversy. (*See id.* at ¶3.) However, in his Complaint, Wu failed to properly plead the citizenship of FCA. The Court therefore cannot determine whether it has subject-matter jurisdiction over this action.

On March 20, 2015, the Court entered an Order requiring Wu to show cause in writing “why this action should not be dismissed for lack of jurisdiction” or, in the alternative, to “file an Amended Complaint providing sufficient factual support to establish this Court’s jurisdiction.” (*See* the “Show Cause Order,” ECF #2.)

Wu initially responded to the Show Cause Order on April 13, 2015. (*See* the “Response,” ECF #4.) Wu told the Court that “despite diligent efforts,” he had “been unable to determine the identity and citizenship of each of the members of [FCA].” (*Id.* at 1, Pg. ID 19.) Wu thus requested an additional 21 days to respond substantively to the Show Cause Order.

The Court granted Wu’s request for additional time, and it reset the deadline for Wu to respond to the Show Cause Order to May 4, 2015. (*See* Dkt.) Wu, however, did not respond by the new deadline, and to date, he has not provided any basis upon which the Court can conclude it has subject-matter jurisdiction over this action.

Accordingly, **IT IS HEREBY ORDERED** that the Order to Show Cause (ECF #2) is **VACATED**. **IT IS FURTHER ORDERED** that the Complaint (ECF #1) is **DISMISSED WITHOUT PREJUDICE** due to Wu’s failure to plead or otherwise establish this Court’s subject-matter jurisdiction.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: May 12, 2015

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on May 12, 2015, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

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